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Veröffentlichungsversion / Published Version
Zeitschriftenartikel / journal article

Empfohlene Zitierung / Suggested Citation:

Duile, T. (2020). Indigenous Peoples, the State, and the Economy in Indonesia: National Debates and Local Processes of Recognition. *ASEAS - Austrian Journal of South-East Asian Studies*, 13(1), 155-160. <https://doi.org/10.14764/10.ASEAS-0034>

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Indigenous Peoples, the State, and the Economy in Indonesia: National Debates and Local Processes of Recognition

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► Duile, T. (2020). Indigenous peoples, the state, and the economy in Indonesia: National debates and local processes of recognition. *Austrian Journal of South-East Asian Studies*, 13(1), 155-160.

Some communities in Indonesia's margins have adopted indigenous identities to overcome stigmatization as 'backward'. Following recent government efforts to develop Indonesia's peripheral areas, these communities can also identify as entrepreneurs because they can now apply for land titles – a change that government officials hope will boost local economies. The question of who is 'indigenous' has thus become an area of political controversy that the state must address. Through analysis of legal documents and political processes, this paper focuses on state-indigenous relations in Indonesia, with an emphasis on economic processes. Participatory observations and interviews have been carried out to gain better insights into ongoing recognition of indigenous communities. Preliminary findings suggest that indigenous activists are disappointed, as the government is not pushing forward crucial legislation, and recognition of land titles is slow. Therefore, activists have instead turned their attention to means of recognition in the regencies. The example of Enrekang, South Sulawesi, provides insights into these developments and into the current relations between the state and indigenous peoples.

Keywords: *Aliansi Masyarakat Adat Nusantara* (AMAN); Indigenous Peoples; Indonesia; Land Titles; South Sulawesi

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SCOPE AND METHODS OF THE RESEARCH

This research, funded by the German Research Foundation (*Deutsche Forschungsgemeinschaft*, DFG), addresses current relations between indigenous peoples and the state in Indonesia. In doing so, it focuses not only on state recognition of indigenous peoples, but also on how the state tries to incorporate them into capitalist economies and how they, in turn, engage in economic processes. Subjects of analysis are legal documents, political processes, and ongoing negotiations within indigenous communities and among activists. So far, five months of fieldwork have been conducted in Jakarta, Makassar, and Enrekang Regency (South Sulawesi). Research activities include interviews with activists, people in indigenous communities in Enrekang, politicians, and other actors involved in the political processes of the recognition of indigenous peoples and their land; as well as participatory observation at events and everyday activities of The Indigenous Peoples' Alliance of the Archipelago (*Aliansi Masyarakat Adat*

Nusantara, AMAN)¹ and within indigenous communities.

INDIGENOUS PEOPLES: STATE RELATIONS IN INDONESIA

The indigenous peoples and their struggle for recognition in Indonesia has been a topic of research since the *Reformasi* era when indigenous non-governmental organizations (NGOs) became political actors (e.g., Davidson & Henley, 2007; Hauser-Schäublin, 2013; Li, 2000). While people in Indonesia's margins had been labeled *masyarakat terasing* (alienated communities) and *masyarakat terpencil* (isolated communities) by the New Order government (Erni, 2008, p. 377; Li, 2000, p. 154), this notion of marginality was converted into political capital in the course of the foundation of indigenous identities. Indigenous identity was at first at odds with the state. AMAN demanded sovereignty, declaring at its founding congress in 1999 that they would not recognize the state if the state would not recognize them (Acciaioli, 2007). A major concern of the indigenous peoples' demand for sovereignty was land ownership. Since the state was maintaining the colonial legacy of declaring land not in permanent use and not in individual ownership to be state owned, AMAN made land claims and advocated for indigenous land ownership (Pichler, 2014, pp. 125-136). When the Constitutional Court ruled in favor of AMAN in 2014, declaring that the state must respect indigenous land ownership (Affif, 2016, p. 129), a new chapter in relations between indigenous peoples and the state opened.

Since the Joko Widodo (Jokowi) government has put a strong emphasis on economic development, especially in the margins – an approach labeled “new developmentalism” (Warburton, 2016) – indigenous peoples have become potential entrepreneurs. They are now able to establish indigenous enterprises (*Badan Usaha Milik Masyarakat Adat*, BUMMA). BUMMA are a category of village enterprise (*Badan Usaha Milik Desa*) as defined for instance in the law No.6/2014 on villages (Presiden Republik Indonesia, 2014). AMAN strongly supported this approach. In 2015, Abdon Nababan, the then-executive of AMAN, stated in *The Jakarta Post* that production increases should also happen within indigenous agroforestry areas, calling for a program by the government to support indigenous people there (Nababan, 2015).

Unlike in 2019, in the 2014 presidential election campaign, AMAN supported Jokowi, who promised that his administration would grant 12.7 million ha of land to indigenous peoples by 2019. However, reality has fallen far short of the promise Jokowi made in 2014, leading to disappointment among indigenous activists (Gokkon, 2017; Satriastani, 2017) – a disappointment often stressed in my conversations during fieldwork. By the end of 2018, only about 27,000 ha of land titles had been issued. AMAN also complained about the criminalization of indigenous and environmental activists (Siringoringo, 2018). Additionally, many activists expressed their disappointment with the draft law on indigenous peoples (*Rancangan Undang-Undang Republik Indonesia Tentang Masyarakat Adat*). This proposed law should serve as an umbrella for other laws dealing with indigenous issues, providing a more secure legal status for indigenous people by defining them and their rights. However, several

1 AMAN was established in 1999 as an umbrella organization of indigenous peoples' NGOs. It now claims to be the largest indigenous NGO in the world, with more than 2,300 communities as members, representing about 17 million individuals.

ministries (Ministry of the Interior, Ministry of Villages, Ministry of Environment and Forestry, Ministry of Agriculture and Spatial Planning, Ministry of Maritime Affairs and Fisheries, Ministry of Law and Human Rights) are currently blocking the process, as they have not replied to the draft of the law.

Despite disappointment with Jokowi in 2014, supporting his opponent Prabowo in 2019 was not an option for AMAN activists. When they spoke to representatives from the Prabowo camp, it turned out that they had very little knowledge about indigenous issues and were not interested at all in promoting indigenous peoples' aims. Political approaches towards indigenous peoples were a topic during a televised debate between Jokowi and Prabowo in the middle of the campaign. Whereas Jokowi declared that his government would support the distribution of land for indigenous peoples, Prabowo was in favor of a rather state-centrist approach. As Jokowi said that indigenous peoples should, "use the land titles for mortgages/as collateral and access to capital (*jaminan, agunan, mengakses permodalan*) from the bank", Prabowo referred to the Constitution of 1945, paragraph 33, "saying that land, water, and natural resources are controlled (*dikuasai*) by the state" (Official NET News, 2019, translated by the author).

PRELIMINARY FINDINGS IN ENREKANG, SOUTH SULAWESI

Despite the disappointment over national politics, it became clear in the interviews that AMAN activists continue lobbying on the national scale. However, they also said that they have hopes in the regencies where processes of recognition are easier to initiate. The regency of Enrekang, South Sulawesi, is a good example of what indigenous activists refer to as a "trendsetter" for indigenous issues. Located between the Bugis²-dominated lowlands of the southern part of the province and the Tana Toraja³ (Land of the Toraja) Regency, Enrekang lies in the foothills but also covers highland areas. The ethnic groups (Duri, Enrekang, and Maiwa) are all of Muslim background and their languages are mutually comprehensible to some degree. They are marginalized groups as they can be identified as highland groups and are significantly smaller than the large ethnic groups of South Sulawesi – the Bugis, Makassarese, and Toraja. In Enrekang regency, Duri, Enrekang, and Maiwa all refer to themselves as indigenous peoples.

The regency was one of the first to pass a local regulation, the *Peraturan Daerah* 1/2016 (Bupati Enrekang, 2016), to identify and acknowledge indigenous communities. AMAN members put much effort into lobbying for the law. The process was not always easy, as religious authorities feared that recognition of indigenous communities would strengthen traditional animist beliefs. As in many parts of South Sulawesi, modernist Islam (represented by Muhammadiyah⁴) is also dominant in the regency and supports a version of Islam that is free from animist notions. However, AMAN, activists see themselves as pious Muslims, and after a mediation process, the Islamic clerics eventually agreed with the proposed *Peraturan Daerah*. Six communities are now recognized as indigenous communities by the regency, but according to AMAN

2 Bugis are the dominant ethnic group in South Sulawesi.

3 The Toraja (or Toraya) are the largest upland group in South Sulawesi.

4 Founded in 1912, the Muhammadiyah is one of the oldest and largest Muslim organizations in Indonesia.

there are around 40 seeking recognition. Two communities have received land titles from the Indonesian state (the Marena received 155 ha and the Orong 81 ha).

Why has the process of recognition in Enrekang been, compared to other regencies, relatively easy thus far? Indigenous communities and the state are not conceptualized as distinct entities there. Indigenous peoples are seen foremost as “Indonesian citizens” contributing to Indonesia’s cultural diversity. In Chapter 1, Paragraph 1.5 of the *Peraturan Daerah* 1/2016, indigenous peoples (*masyarakat hukum adat*) are defined as Indonesian citizens (*warga negara Indonesia*) with special cultural characteristics (*memiliki karakteristik khas*), who live in harmony according to their customary laws (*harmonis sesuai adatnya*), and have strong relations to the land and environment (*hubungan yang kuat dengan tanah dan lingkungan hidup*). This definition pleases both Indonesian nationalists and indigenous peoples, since it stresses that indigenous peoples are part of Indonesia and suggests sovereignty in cultural matters and land issues.

Furthermore, the identity of the Enrekang groups as *masyarakat hukum adat* provides an encompassing concept for the distinct groups in the regency, which they can use in order to distinguish themselves from the hegemonic Bugis in the lowlands of South Sulawesi. Within the boundaries of Enrekang, the term *masyarakat hukum adat* potentially applies to all groups, giving no reason for conflict over the question of who is indigenous and thus able to make resource claims. After the idea of *masyarakat hukum adat* had been reconciled with modernist Islam, it faced no more opposition in Enrekang.

In the interviews, it became clear that local AMAN activists believe that recognition will help local communities to make better use of their resources, and this is also stressed by policy makers. AMAN is currently establishing an indigenous people-owned company (*Badan Usaha Milik Masyarakat Adat*, BUMMA) aiming to expand coffee production, mostly among the Duri communities. The process of turning indigenous peoples into entrepreneurs comes together with the construction of the Enrekang groups as both indigenous peoples and Indonesian citizens. It is not yet clear whether the BUMMA project will become a success story, but respondents were optimistic about it during the first fieldwork. Moreover, AMAN conducted a workshop on environmentally-friendly coffee production in Enrekang, well-visited by AMAN members from both Enrekang and Toraja. In response, the Marena community now has plans to plant coffee trees in their *adat* forest, and other communities want to do the same when they regain their customary forests.

CONCLUSION

The preliminary findings suggest that indigenous activists are going through a far-reaching process of mutual recognition with the state. To the activists, the state now emerges as an actor with whom they can negotiate their interests. Since negotiation is currently difficult on a national scale, activists seek acknowledgment in the regencies. Here, the fact that indigenous communities can now engage in economic activities persuades local policy makers to adopt regulations for their acknowledgment. These processes do not end here, and the Enrekang government tries to support indigenous communities to make use of their land, for instance by donating a seedling crop of trees. Currently, AMAN is lobbying in other regencies in South

Sulawesi, while Bulukumba and Toraja Utara already adopted *Peraturan Daerah* for indigenous peoples' acknowledgment.



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Timo Duile has studied Political Science, Cultural Anthropology, and Philosophy, and obtained his Ph.D. in Southeast Asian Studies. Currently, he is a post-doctoral researcher at Bonn

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ACKNOWLEDGEMENTS

The Author receives funding from the *Deutsche Forschungsgemeinschaft* (DFG) for the Research Project *Economy of interpellation. On the relation between indigeneity, state and economy in Indonesia*.